



**The TMDL Program and
Treatment as a State
for the Coeur d'Alene Tribe
August 2005**

This fact sheet gives a basic introduction to Total Maximum Daily Loads, also called TMDLs. It also discusses how EPA's approval of the Coeur d'Alene Tribe for Treatment as a State could affect TMDLs locally.

What is a Total Maximum Daily Load (TMDL)?

Section 303 of the Clean Water Act established the water quality standards and TMDL programs. Under section 303(c), water quality standards are set by States, Territories, and authorized Tribes. Under section 303(d) these jurisdictions are then required to develop lists of impaired waters or waters that do not meet water quality standards. The law requires that these jurisdictions set priority rankings for said waters on the lists, and develop TMDLs for these waters. EPA must approve or disapprove the 303(d) lists and any TMDLs.

TMDLs are developed to address both point source and non-point sources of pollution to waters of the United States. Basically, a TMDL is a "pollution budget" applicable to "impaired" waterbodies and is developed by calculating the maximum amount of a pollutant that a waterbody can receive without violating applicable water quality standards, and it allocates that amount to the pollutant's sources. Specifically, a TMDL:

- provides a written assessment of water quality problems in a particular waterbody,
- identifies the pollutant sources that contribute to the problems, and
- establishes pollutant allocations for these sources.

In technical terms, a TMDL is the sum of the allowable loads of a single pollutant from all contributing point and non-point sources. (Point sources are discharges from discrete conveyances. Non-point source pollution usually takes the form of general runoff or seepage.) The calculation must include a margin of safety to allow for any uncertainties in the scientific methods used to derive the TMDL such as water quality modeling assumptions. The calculation must also account for seasonal changes in water quality. Calculations to establish TMDLs are subject to public review.

**For more information, see EPA's TMDL web site at:
<http://www.epa.gov/owow/tmdl/> or www.epa.gov/r10earth/tmdl.htm.**

How could “Treatment as a State” status for the Coeur d’Alene Tribe affect TMDLs locally?

The Tribe’s “Treatment as a State” status, or EPA’s subsequent approval of the Tribe’s water quality standards, is not expected to affect TMDLs for Reservation waters.

Many water bodies on the Reservation are impaired and require TMDLs. Once EPA approves the Tribe’s water quality standards, EPA and the Coeur d’Alene Tribe will jointly issue the TMDLs for Reservation waters. For impaired waters on the Reservation that do not flow into the Lake and St. Joe River, TMDL's will be developed using the Tribal standards and/or the standards of the downstream state. The Tribe and EPA will coordinate in development of TMDL's for Reservation waters flowing into the Tribal portions of Coeur d’Alene Lake and the St. Joe River to make sure the Tribe’s standards are met in those waters. The Tribe and EPA will jointly issue these TMDL's once they are complete.

Most of the listed impaired waters have problems with sediments and/or nutrients. Since both the Tribe and State have narrative standards for nutrients and sediments, EPA, the Tribe, and Idaho will work together to interpret the standards consistently. Therefore, using the Tribal water quality standards for the impaired waterbodies should not change the TMDLs in a substantive way.

Which waterbodies need TMDLs?

The following is a summary of listed waters and the status of TMDL development and projected completion dates (depending on available resources).

Lake Creek is impaired for sediment. The TMDL should be issued in late summer/early fall 2005.

Fighting Creek is impaired for sediment and nutrients from the Indian Reservation boundary to the mouth of Coeur d’Alene Lake. EPA and the Tribe will be proposing TMDLs for public review in the early fall of 2005.

Willow Creek is impaired for sediments from its headwaters to its mouth at Cave Lake. The draft TMDL is likely to be completed in the spring of 2006.

Black Lake is a chain lake to the Coeur d’Alene River. It is impaired for nutrients. EPA and the Tribe will be proposing TMDLs for public review in the fall/winter of 2006.

Benewah Creek is a tributary to the Lake and the St. Joe River. It is impaired for sediment, nutrients and dissolved oxygen. This technical studies for this TMDL should be completed by the late summer of 2006.

Hangman Creek is a tributary to the Spokane River. It is impaired for bacteria, habitat alteration, nutrients and sediment from the Reservation boundary to the Idaho/Washington state line and the Headwaters to the Indian Reservation boundary. Little Hangman Creek, a tributary to Hangman Creek, is impaired from its headwaters to the state line for nutrients. During 2005, the Tribe along with EPA, and the States of Idaho and Washington will assess and evaluate data needs necessary to develop this multi-jurisdictional TMDL. A draft TMDL is scheduled for the fall of 2006.

Alder Creek is a tributary to the St. Maries River, which flows into the St. Joe River. It is impaired from the mouth of the creek to its headwaters for sediment. A TMDL is slated for 2006.

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Alternative formats are available. For reasonable accommodation, please call Renée Dagseth at 800-424-4372. TTY users, call 800-877-8339.